

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MASSACHUSETTS

RICHARD BEAUREGARD and	)	
LAURA BEAUREGARD,	)	
Plaintiffs	)	
	)	
V.	)	Civil Action
	)	No: 05-10472 RGS
EVEREST PARTNERS,	)	
Defendant	)	

**JOINT STATEMENT BY THE PARTIES**

Pursuant to Local Rule 16.1(d) and the Notice of Scheduling Conference the parties hereby submit their suggested plan for discovery and the filing of motion in the within matter.

**I. Suggested Discovery Plan**

**1. Initial Disclosures:**

Initial disclosures required by Fed. R. Civ. P. 26(a)(1) must be completed by August 8, 2005.

**2. Amendments to Pleadings:**

Except for good cause shown, no motion seeking leaving to add new parties or to amend the pleadings to assert new claims or defenses may be filed after March 28, 2006.

**3. Fact Discovery - Interim Deadlines:**

- a. All requests for production of documents and interrogatories must be served by November 18, 2005.
- b. All requests for admission must be served by December 19, 2005

- c. All depositions, other than expert depositions, must be completed by March 13, 2006.

4. **Fact Discovery - Final Deadline:**

All discovery, other than expert discovery, must be completed by April 28, 2006.

5. **Expert Discovery:**

- a. Plaintiffs' trial experts must be designated, and the information contemplated by Fed.R.Civ.P.26(a)(2) must be disclosed, by May 26, 2006.
- b. Plaintiffs' trial experts must be deposed by July 28, 2006, but not before defendant's designation.
- c. Defendant's trial experts must be designated, and the information contemplated by Fed.R.Civ.P.26(a)(2) must be disclosed by July 14, 2006.
- d. Defendant's trial experts must be deposed by October 13, 2006.

6. **Dispositive Motions:**

- 1. Dispositive motions such as motions for summary judgment or partial summary judgment and motions for judgment on the pleadings, must be filed by November 10, 2006.
- 2. Opposition to dispositive motions must be filed within 30 days after service of the motion.

- 7. Case disposed of by Alternative Dispute Resolution or trial by December 8, 2006.

II. **Trial By Magistrate**

At this point, the plaintiffs and defendant have not determined whether they would be willing to consent to a trial by Magistrate Judge.

### III. Local Rule 16.1 Certifications

The parties have attached hereto copies of their Local Rule 16.1 Certifications.

**Plaintiffs**

Richard Beauregard

Laura Beauregard

By Their Attorney



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**Defendant**

Everest Partners

By Their Attorney,



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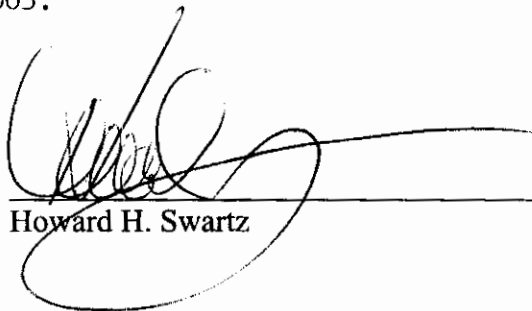
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### CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record for each other party by mail on June 3, 2005.



Howard H. Swartz